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Comp.A.No.663 of 2023

in

C.P.No.57 of 1998

SENTHILKUMAR RAMAMOORTHY,J

By order dated 26.04.2023, the Official Liquidator was directed to execute a sale certificate in favour of the nominee of the applicant, Mrs.R.Jegatha, for a total extent of 55.78 acres. By pointing out that the jurisdictional Sub-Registrar has indicated that it is unclear as to whether S.No.47 of an extent of 3.28 acres in Keezhakaduvetti Village is Government land or private land, learned counsel submits that a fresh sale certificate may be issued after excluding the said extent of 3.28 acres.

2. The above mentioned order dated 26.04.2023 was issued upon confirmation from the Official Liquidator that the entire sale consideration for the extent of 55.78 acres was received. Since there is no clarity as on date with regard to whether the Government has title over the land in S.No.47, Keezhaakaduvetti Village, of an extent of 3.28 acres, the request of the applicant is liable to be acceded to. Since the pro-rata sale consideration for 52.50 acres is a sum of Rs.1,83,53,350/-, while issuing the sale certificate the said value may be specified as the consideration. As regards the claim for refund of



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the pro-rata value of about Rs.11,46,650/- for the disputed extent of 3.28 acres, a decision can be taken only upon receipt of relevant information/documents from the jurisdictional revenue officials.

3. Accordingly, this application is disposed of by directing the Official Liquidator to execute a fresh sale certificate in favour of Mrs.R.Jegatha, W/o. Mr.K.Ravikumar, for an extent of 52.50 acres, of which 50.54 acres is in Kilakaduvetti Village and 1.96 acres is in Kallikulam Village. The applicant is granted leave to re-apply in respect of refund by joining the appropriate revenue officials as parties.

20.12.2023

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Note: Issue order copy on 22.12.2023

SENTHILKUMAR RAMAMOORTHY J.



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